

SENATE HAS DOMINGO TREATY

ROOSEVELT PLEADS FOR ITS PROMPT RATIFICATION.

New Agreement Submitted With a Message Declaring that the Vitality of the Monroe Doctrine Is Involved—Our Government's Liability Is Less Now.

WASHINGTON, Feb. 15.—After a long delay the new treaty between the United States and Santo Domingo is before the Senate. It reached Washington this morning and was sent to the Senate late this afternoon with a message from President Roosevelt, urging its ratification and assuring that trouble between the United States and European Governments was likely to occur unless the programme provided in the treaty for a transfer of authority over Dominican customs to the United States was carried out.

The treaty now in the Senate's custody was negotiated as a result of criticism of the Dillingham-Sanchez protocol of Jan. 20. That protocol was objected to chiefly because the Administration sought to carry out its provisions without submitting it to the Senate.

It was late in the afternoon when the treaty reached the Senate. Pension bills were then under consideration and there was no opportunity for an executive session until nearly 8 o'clock. Few Senators were present when the doors were closed, and for that reason, and on account of the lateness of the hour, the message was read in part only, and the treaty not at all. The only action taken was to order the message and treaty referred to the Committee on Foreign Relations, and printed for the confidential use of the Senate.

The President said in his message that the treaty was negotiated with a view to bringing about a settlement of disturbing conditions at Santo Domingo, in which the United States is interested, both directly and indirectly. The demands of certain Governments that Santo Domingo should pay her debts and that the United States should see that they were paid or permit the creditor Governments to exact payment, were asserted by the President to be so insistent that they could not longer be ignored. The vitality of the Monroe Doctrine was involved in the question he declared, and the irresistible conclusion reached was that the United States was forced to take a hand in the settlement of Santo Domingo's foreign obligations.

The President's language regarding the necessity of action to preserve the vitality of the Monroe Doctrine was very pointed. He made it clear that the pressure from European Governments had been increasing and could no longer in justice be ignored. On the other hand, the tendency of certain Central American and South American Governments to neglect payment of claims of foreigners was growing, and the alternative was fairly before the United States of taking a hand in settling the pecuniary difficulties of Santo Domingo, a notorious laggard in liquidating its obligations, or of permitting foreign Governments to force settlement of their claims.

The President declared that if creditor nations attempted to enforce their claims the inevitable result would be the occupation of ports, for a long or short period, which would lead to embarrassment and possible collision with this Government in its jealous enforcement of the Monroe Doctrine.

The treaty was negotiated on the request of the Government of Santo Domingo and provided that the United States should administer the receipts of the ports of Santo Domingo, paying 45 per cent. to the Government's creditors and the balance to that Government.

The United States disclaims any intention to assume sovereignty and promises to respect the integrity of Santo Domingo. It is provided in the treaty that it shall be effective only after ratification by the United States Senate and the Dominican Congress. The treaty is signed by Minister Dawson and Juan Francisco Sanchez, Minister of Foreign Relations.

The most important change from the provisions of the rejected protocol concerns the question of Dominican integrity. In the Dillingham-Sanchez arrangement it was provided that the United States Government should guarantee the integrity of Santo Domingo. To make such an important engagement in an agreement that had been concluded without the advice and consent of the Senate was regarded by a great majority of Senators as unconstitutional and entirely beyond the powers vested in the Executive.

Outside of the irregularity of the arrangement, Senators found cause for objection in the provision for the use of its military and naval forces to prevent any change in the territorial and political entity of a foreign nation.

This provision has been modified in the treaty transmitted to the Senate to-day. As it now stands, it commits the United States only to respect the integrity of Santo Domingo, which means that the privileges granted to this Government by the treaty will not be used to accomplish American sovereignty over the territory of the West Indian republic.

BOERS WERE FILIBUSTERS.

One of the Party That Went to Guatemala Returns and Confirms the Report.

NEW ORLEANS, Feb. 15.—B. O. Shepherd, one of the Boer party which went to Guatemala on the Olympia last week, has returned. The members were stopped twice by the Federal authorities on the ground that they were filibusters but were finally allowed to sail on proof that they were going to settle in Guatemala on land grants given by the Government.

Shepherd said that the emigration contracts were torn up the moment the Olympia got out of the Mississippi. All of the party, on landing at Puerto Barrios, were hurried to Zacapa, near the frontier of Salvador, and it was understood that they were to be used as the nucleus of a revolution against Salvador. A second party of Boers was to have left for Guatemala on Thursday, Shepherd says, but financial difficulties prevented this. The matter has been laid before the United States Grand Jury.

DEWEY'S FINE OLD SHERRY WINE.

As far as the quality of the wine is concerned, it is the best in the world. It is the only wine of its kind that has been awarded a gold medal by the Paris Exposition of 1904.

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HOUSE AT ODDS WITH SENATE.

Will Not Agree to Rebate Amendment to Agricultural Bill.

WASHINGTON, Feb. 15.—The Republican leaders of the House will not support the amendment to the Agricultural Appropriation bill offered by Senator Hanchborough of North Dakota, and adopted by the Senate yesterday, in effect exempting wheat from the operation of the drawback section of the Dingley tariff law. In the eyes of Payne, Dull and Grosvenor, it is clearly an attempt on the part of the Senate to enact tariff legislation in the guise of an amendment to an appropriation bill.

Another contest between the two houses, as to the rights of each is therefore in prospect. The only thing that seems likely to prevent another conflict is the fact that there were comparatively few Senators present when the amendment was agreed to and that some of those present did not understand what was being done.

It is probable, however, that the Representative Payne, as chairman of the Ways and Means Committee, will offer a resolution asking the Senate to withdraw the amendment, on the ground that it is revenue legislation, and that therefore it is unconstitutional and a violation of the rights of the House, one of which is the sole right to originate legislation for raising revenue.

There are ten or eleven precedents for such action. In only one instance, it is declared by underwriters of the House, has the Senate refused to honor such a call for an observance, not only of the comity which should prevail between the houses, but also of the constitutional rights of the so-called lower house.

The dispute between the houses on the Cuban reciprocity legislation was the longest drawn out. The House stood firm on that, and the Senate surrendered. It was soon as the Senators were sure that Speaker Cannon meant it when he declared that rather than surrender the right of the House to pass on treaties involving changes of revenue laws there would be no action on the subject. It is believed the same outcome will be the result as soon as the Senate learns that the Speaker is in earnest on this subject.

NEW HAVEN FIREMEN LOSE?

Rumor That the Directors Have Decided Against Them—Talk of Strike.

NEW HAVEN, Feb. 15.—It was said tonight on what was regarded as excellent authority that the committee of the New Haven railroad directors who yesterday heard the claims of the grievance committee of the Brotherhood of Locomotive Firemen had decided against the firemen and that announcement of this decision would be given out on Friday or Saturday to the grievance committee.

The firemen told Vice-President Todd that they believed they had a right to represent the engineers, who are still in the New Haven railroad directors who yesterday heard the claims of the grievance committee of the Brotherhood of Locomotive Firemen had decided against the firemen and that announcement of this decision would be given out on Friday or Saturday to the grievance committee.

Those in a position to know the plans of the directors said tonight that upon the announcement of the road's final decision the inevitable result would be a strike of the firemen. There has already been made a poll of the firemen of the system. The poll shows that of the 800 voting 675 voted in favor of a strike if the company didn't grant the claims advanced.

There are about 1,400 voting firemen in the entire system. Those who have not voted on this question number nearly 725, and are on the division west of this city; the majority being on the New York division. They are being polled now, and the result of that vote will be known to the firemen's executive officers before Sunday.

IT COULD BE A MILK TRUST.

\$17,000,000 Company, With Broad Powers, Incorporated Under New Jersey Laws.

The American Butter Refining Company, with a capitalization of \$17,000,000, filed articles of incorporation at Trenton yesterday. Its purpose, as announced in its charter, is to deal in milk and all milk products and to buy up the businesses and plants of other like corporations. The incorporators are Beverly R. Robinson, Walter E. Hope and E. T. S. Thygeson. The registered office of the company is in Jersey City.

One of the incorporators, Beverly R. Robinson, is associated with Masten & Nichols, lawyers, at 41 Wall street. At the offices of this firm yesterday it was stated that the company was not a combination of other corporations and that it had not yet acquired any properties. Information in regard to the stockholders and other details of the company was refused. Forsythe Wickes, who is connected with the firm, said that full information in regard to the company would probably be ready in two weeks.

DIDN'T LIKE HIS SHIPMATES.

Reason Given for the Desertion of Midshipman Arrowood, Now Under Arrest.

MIDSHIPMAN Milton W. Arrowood of Burlington, N. C., who took French leave from the battleship Kearsarge on Jan. 6, has been apprehended in this city and is now on board the Hancock at the Brooklyn navy yard, detained to await the decision of the Judge Advocate General in his case.

Arrowood tendered his resignation to the Navy Department just as he was about to complete the two years cruise following graduation from the Naval Academy. Secretary Morton refused to accept the resignation on the ground that the Government was entitled to some service from the man after having educated him. Upon being thus refused Arrowood left the Kearsarge and apparently went direct to New York.

He was arrested here last Monday by Secret Service men, who found him through a registered letter addressed to him at the Post Office. He was living in a house in East Fifty-sixth street and had been working for a real estate firm since he left the battleship.

There was a story at the navy yard last night that young Arrowood had said he had left the navy because he didn't like his associates. It was said that he thought many of them were of immoral character and that he did not believe a Christian could remain associated with them.

The Judge Advocate General will decide what the nature of the charge against Arrowood will be. He is not, it is said, regarded as a prisoner on board the Hancock.

Arrowood's father is a preacher in Burlington.

The prosecution moves pretty fast. Only people with good devices keep up. Whistlers break last gives good digestion.

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THEATRE RISKS FRET JEROME

CONSULTING CHIEF CROKER AND DR. BENSEL ABOUT THEM.

Personally Convinced That the Gallery Exits at Lew Fields' New Theatre Are Not Safe, but Told That They Comply With the Law as It Stands.

District Attorney Jerome said yesterday that he had asked Harry B. Parsons, the engineer, to inspect several theatres which he understood violated the Building and Fire Department laws. Mr. Jerome said he needed no expert to tell him that there was at least one dangerous theatre in the city—Lew Fields' new house, in West Forty-second street.

Mr. Jerome made this statement after he had had talks during the day with Fire Chief C. Croker, Mr. Parsons and Dr. Walter Bensen of the Health Department. Dr. Bensen is a member of the committee on theatres appointed by Mayor McClellan shortly after the Iroquois Theatre fire in Chicago. Mr. Jerome said that Dr. Bensen had brought him reports received by the committee on the safety of theatres. In explaining how he came to take up an investigation of the theatres, Mr. Jerome said:

"When Sheriff Hanson, who brought Charles F. Dodge back from Texas, was here in December I went with him to Fields' Theatre. We had a stage box. Hanson is a big, heavy man. Between the acts, in walking out I noticed that the stairway was so narrow that we couldn't walk abreast. The stairway was extremely steep. The electric lights, projected so that they would strike a man of my height in the forehead. I counted, if I remember right, nine turns at right angles from the second gallery to the street. From the first gallery I think there were five turns at right angles. All around me I heard men saying that they would never take women to that theatre, and I heard other men say that they would never go there again. It required no knowledge of building laws to know that if there was a panic of any kind, with jamming at those turns, and walls of people were backed up, there would be serious injury to a large number of people."

"I wrote to the Building and Fire departments and was informed that the theatre had not violated the regulations of either department. It was admitted that there was something wrong with the elevator, but this was spoken of as a trivial matter, easily remedied. I remembered that there had been no serious fire that I could recall since the Academy of Music fire in Brooklyn, but I began to feel that these things occur just too often. I was a good deal anxious and worried when Chief Croker called on me last Friday in relation to another matter. He was talking about the theatre. Looking after the theatres is not my job really, but if there was anything wrong it ought to be made right regardless of the expense or whether the theatres must be closed or not."

"Chief Croker told me that the Casino was one of the worst theatres in the city and that he would never let Mrs. Croker go to it. I believe that a theatre could comply with the building code and Fire Department rules and yet not be recognized as safe. It does not require any expert to show that a theatre with nine turns in a stairway thirty-five feet steep is dangerous. Other theatres certainly do not comply with the law. In the back of some of the theatres there are more seats between aisles than the law permits, which would be dangerous in case of a panic. There are several upstairs theatres like the Casino. If they are in a condition dangerous for human safety, then we want to see if all the departments pulling together cannot do something. Of course you cannot expect absolute safety. It is simply a question of the degree of peril."

Mr. Jerome said that he thought it would take Mr. Parsons about a week to make his investigation. Mr. Jerome said that if theatres were found to be unsafe the Health Department could close them as public nuisances or the District Attorney could proceed against them criminally on the same ground. Mr. Jerome doesn't think that the Police Commissioner could revoke licenses except for immoral performances, or some other similar reason. The Police Commissioner might refuse to issue licenses to theatres which he considered unsafe.

Oscar Hammerstein built Fields' theatre. No one at the theatre would comment on Mr. Jerome's statement last night.

ANOTHER FIRE AT HARVARD.

A Dormitory, Thayer Hall, Damaged to the Extent of About \$7,000.

CAMBRIDGE, Mass., Feb. 15.—For the second time in two months Harvard was visited by a serious fire this afternoon, when a blaze in Thayer Hall, one of the largest dormitories in the yard, did damage to the building of \$7,000 and caused a loss to the students who occupied rooms in the building of from \$3,000 to \$4,000.

The part of the building damaged was the fourth story, in which there were twenty-four rooms, occupied by forty-two men. None of the rooms is fit for occupancy. The north entry of Thayer Hall is one-third of the whole building. The three parts are separated by two thick fire walls, so the other parts of the building were never in danger.

Just how the fire started is not known, but it is evident from the condition of the building that it began in the hallway on the ground floor of the building. The rooms on the first floor were almost entirely destroyed. On the third and fourth floors the fire did little harm, but the smoke and water did great damage.

For the most part the students lost everything they had in their rooms. There were a dozen or more students in their rooms, but they got out by the fire escape.

Thayer Hall was given to Harvard by Nathaniel Thayer and was built in 1870. It is the northeast building of the quadrangle in the old part of the yard.

SYNDICATE MILLER CALLS

To Thank the District Attorney for Helping Him to Freedom.

William F. Miller of the 520 per cent. Franklin syndicate, who was pardoned on Saturday by Gov. Higgins at the request of District Attorney Jerome, made a call on Mr. Jerome at the District Attorney's office yesterday. He thanked Mr. Jerome for his efforts in getting him free.

"The pardon of Miller," said Mr. Jerome, "was just and right. Danmorra prison must be a healthy place, Miller looks so well."

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MR. CROKER AT THE CLUB.

Just to Look at the Improvements and Take Luncheon There.

Richard Croker was at the Democratic Club yesterday. It was his first visit since he arrived here to attend the funeral of his son Frank. Many changes have been made in the interior arrangements of the club and about the grounds. Mr. John Fox, the president of the club, told him that he would like to look over the place before he returned to England; but he stipulated that there should be no formalities at the time of his visit. To make sure of this, he said he would drop in some time when he was not likely to be expected.

Yesterday was the day he chose. It was shortly after 2 o'clock when, accompanied by his niece, Mrs. Stella Bowman, he entered the club. Not more than half a dozen members were in the building, and they were so greatly surprised at seeing their old leader in the old haunts that they were at a loss to decide just what they ought to do. Mr. Croker explained to them that he had merely called to take lunch and to look over the building, and that he would be back if they would not disturb themselves. After he had shown his niece over the house, the two had luncheon in the large dining room, and about an hour later they left the club.

WOMEN STUCK TO A WRECK.

Captain and Crew, Two—Lone Able Seaman Who Took No Chances Gave Home.

The Atlas liner Sarnia, in yesterday from the West Indies, brought a crew of the crew of the Italian bark Elia Vetroville, wrecked in thick weather on Point Morant, Jamaica, and Able Seaman Jose C. Domingo of the three masted American schooner Ida C. Southard, recently abandoned at sea, dismantled and waterlogged.

The Southard was bound from Trinidad to this port with a cargo of asphalt and was knocked out in a gale on Feb. 8. She flew signals of distress which were seen by the Atlas liner Sarnia, bound from New York for the West Indies. The Sarnia offered to take off all hands and land them at Fortune Island. Capt. Blake of the Southard said he thought he would wait for a ship bound north, but any of the crew who wanted to go aboard the Sarnia might do so. Domingo decided that a steamship's deck was safer than that of a battered and waterlogged term and left his shipmates.

There were two women aboard the Southard, sisters of the steward, and they also decided to be rescued by a southbound ship. Domingo was landed at Fortune Island, where he boarded the Sarnia. Heavy weather probably induced the skipper to change his mind, for he consented three days later to be taken off by the British freight steamer Lilly, which landed him, the rest of the crew and the women at Port Antonio, Jamaica. The Lilly will bring all hands to this port.

CUT DOWN BY CITY OF LOWELL.

Sound Steamer Deflected Late an Ice-bound Schooner—No Lives Lost.

PROVIDENCE, R. I., Feb. 15.—The steamer City of Lowell, which arrived here this morning from New York, struck and almost immediately sank the two masted schooner Oakwoods off Whitestone, at the head of the Sound, at 11 o'clock last night. The Oakwoods, which is owned by J. C. Tucker of Narragansett Pier, had been lying in the ice off Whitestone for two weeks. She was laden with coal and commanded by Capt. C. M. Hubbs and carried a crew of four men.

At the time of the collision all hands on the schooner, except Osmund Jensen, a seaman, were below decks asleep in their berths. The City of Lowell, Capt. Walter R. Hazard, was picking her way slowly through the numerous vessels tied up by the ice, and when fifty feet away from the Oakwoods the steamer struck a heavy floe with her port bow, which caused her to point directly at the schooner.

Capt. Hazard signalled for full speed astern and the headway of the steamer was reduced appreciably. When suddenly a crash in the ice was opened up before her which extended directly to the Oakwoods amidships. The pressure of the ice thus being released, the schooner almost in two before her momentum could be checked.

Jensen, the seaman on watch, shouted a warning when the schooner began to sink rapidly, and her crew took to the rigging, from which they were able to clamber to the high decks, which the City of Lowell backed away. Those asleep on the Oakwoods had no time in which to dress.

The Oakwoods was built in 1880 at Kennebec, Me. She was bound for Narragansett Pier. She carried about 200 tons of hard coal.

TO OPEN SHOOT CASE.

Senate Committee May Go to Utah This Summer to Take Testimony.

WASHINGTON, Feb. 15.—While the Senate Committee on Privileges and Elections has brought to a close the taking of testimony in the charges against Senator Reed Smoot of Utah, and counsel for both sides have submitted oral and printed arguments, it is not certain that the case will not be reopened.

The committee presents its report to the Senate at the present session, there will not be sufficient time to give it consideration and take action. Therefore, its report, either for or against Smoot, would necessarily go over until the next session.

Moreover, there is a feeling among the members of the committee that they could be further enlightened on the practices of the Mormon Church. If additional testimony were taken, this is particularly true in regard to the nature of the endowment house oath, about which the testimony is conflicting.

Many of the most important witnesses have apparently evaded the officers who went to Utah to summon them, and the members of the committee think there is some possibility that the presence of some of these may be secured. Other witnesses were unable to make the long trip to Washington, and the committee therefore is considering the advisability of reopening the case, going to Utah during the summer, and resuming the taking of testimony at Salt Lake City.

CHICAGO REPUBLICAN TICKET.

John Maynard Harlan Is Nominated for Mayor Without Opposition.

CHICAGO, Feb. 15.—The city Republican convention this afternoon nominated the following ticket: For Mayor, John Maynard Harlan; for Treasurer, Moses E. Greenbaum; for City Attorney, John F. Smulski; for City Clerk, Francis B. Brady. All nominations were unanimous.

After the nominations were concluded, less than an hour after the convention was called to order, Mr. Harlan was escorted to the platform and made his speech of acceptance.

BLOW AT THE STANDARD OIL.

KANSAS LEGISLATURE PASSES BILL FOR STATE REFINERY.

Gov. Hoch Will Sign It Today—Convict Labor to Be Provided for the Works—Offers From New York to Enter the Kansas Field—Appeal to the President.

TOPEKA, Kan., Feb. 15.—Kansas struck a blow at the Standard Oil Company's business in this State to-day. The House passed the bill which gives the State \$410,000 to build and operate an oil refinery. The bill passed the Senate last week.

Gov. Hoch announced to-night that he would sign the bill immediately. Hoch had been against the bill until the Standard Oil Company announced its boycott on Kansas oil. The bill provides for the House late this afternoon by a vote of 91 to 20.

The oil bill provides for a refinery to be erected at Peru, Kan. Another refinery will be built there to provide convict labor for the refinery.

This ends one of the most bitter fights ever waged before a Kansas legislature. The Standard Oil Company and the railroads have made many strong lobbyists for the bill, which also makes pipe lines common carriers.

The Kansas House also passed the Maximum Freight bill, which will keep the railroads from favoring the Standard Oil Company.

However, the bill which prevents the Standard Oil Company from discriminating and underselling the State refinery was referred, after a fight, to the Judiciary Committee, but not before the friends of the State refinery tackled to it an amendment that will save the bill. The men who fought this bill said the underselling would apply to all commodities. To have said oil alone would have made it class legislation, which would have been unconstitutional. The amendment tackled on refers only to trust made goods. This bill will come up on Friday.

Apparently there will be no lack of capital enlisted in the fight against the Standard Oil Company in this State as soon as the Legislature gives evidence of its intention to protect independent operators. The oil producers have received a number of requests from independent refiners who want to get into business in the State. To-day Senator F. Dumont Smith received the following telegram on this subject: "F. Dumont Smith, Topeka."

"Can raise \$500,000 for independent oil refinery if can get proper protection from Legislature; answer quick."

"J. D. Cameron, Waldorf Hotel."

Senator Smith answered: "Will guarantee absolute protection for independent refinery. State refinery will not interfere with independents in least."

KANSAS CITY, Feb. 15.—The Oil Producers' Association of Kansas sent an appeal to President Roosevelt to-night asking the aid of Congress and the President in its fight against the Standard Oil Company. The appeal recites the history of oil production in Kansas and the workings of the Standard Oil Company. It further says an officer of the Standard Oil Company has invited Kansas by saying it feared destruction of the pipe lines and property.

MELVIL DEWEY CENSURED.

Regents Rebuke Him for Lake Placid Company's Ruling Against Jews.

ALBANY, Feb. 15.—Melvil Dewey, the State Librarian, was censured to-day by the State Board of Regents for the publication in a circular of the Lake Placid Company, of which he is president, of a statement discriminating against Jews. The officers of the board were instructed to communicate "a formal and severe public rebuke" to Mr. Dewey, and the board further declared that his continuation at the head of a private business was incompatible with his retaining his office.

This action is the result of the investigation of a petition presented to the board by certain influential Jews of New York city requesting Mr. Dewey's removal from office because of the published regulations on the petition, which had been investigated by the board, which had investigated the matter, reported to the board the findings of fact without recommendation.

It found among other things that "the club, as expressed in its published regulations, excludes from membership all Jews even when of unusual personal qualifications," and that "it is established by the records of the committee that the regulations excluding Jews is not due to any personal prejudice on the part of Mr. Dewey."

BLAZE IN OLD GERHARD HOUSE.

Workmen Tearing It Down Got Far More Heat Than They Wanted.

Workmen employed by Byron C. Greene, Jr., contractor, are tearing down the brownstone buildings at 88 and 100 Fifth avenue, at the northwest corner of Fifteenth street. The houses were sold by Fred Gerhart to Mrs. Nelson recently to the Rothschilde estate, which is preparing to build an office building there.

Some of the workmen built a fire yesterday at the dinner hour in a fireplace on the second floor of the half-demolished building. The flames ran up the lathing and spread over the ceiling. The firemen, when they arrived, greatly helped the contractor in the work of demolition. Such a crowd gathered that police reserves were called from the West Thirtieth street station to keep traffic in motion.

The house at 100 Fifth avenue was occupied by Gerhart and it was around it that Jerome's sleuths and newspapermen stamped for several days last summer when it was rumored that Reginald C. Vanderbilt was harbored there.

SARASOTA AND WEST COAST RESORTS.

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